

SHEARMAN & STERLING LLP

599 Lexington Avenue
New York, NY 10022-6069
+1.212.848.4000

stephen.fishbein@shearman.com
212.848.4424

BY ECF

March 11, 2024

Hon. Timothy M. Reif
1 Federal Plaza, New York, New York 10278

**Re: *SS&C Tech. H'ldgs, Inc. et al. v. D. E. Shaw & Co., L.P.*, No. 1:23-cv-9158-TMR;
Letter Motion For Leave To File Memorandum of Law in Opposition to D. E. Shaw
& Co. L.P.'s Motion to Dismiss the Amended Complaint With Redactions**

Dear Judge Reif:

SS&C Technologies Holdings, Inc. and Advent Software Inc. (together, "SS&C") respectfully seeks the Court's leave to file a redacted version of its Memorandum of Law in Opposition to D. E. Shaw & Co., L.P.'s Motion to Dismiss the Amended Complaint (the "Opposition"), and to file an unredacted version under seal.

On January 12 and 13, Arcesium LLC ("Arcesium") and D. E. Shaw & Co., L.P. ("D. E. Shaw") respectively and separately notified SS&C that they believe the Amended Complaint did not comply with the protective order in the case captioned *SS&C Tech. H'ldgs, Inc. et al. v. Arcesium LLC*, No. 1:22-cv-02009-TMR-OTW (the "*Arcesium* case"). SS&C disagrees and sent a letter to D. E. Shaw and Arcesium on that point on January 16, 2024, to which Arcesium responded on January 17, 2024. SS&C and Arcesium met and conferred on January 18, 2024, but were unable to resolve the dispute. SS&C and Arcesium prepared to brief the issue of whether the Amended Complaint complies with the protective order in the *Arcesium* case (the "Protective Order") and proposed a briefing schedule. *Arcesium* case, ECF No. 241. Magistrate Judge Wang has not granted the request to brief the issue.

Although SS&C continues to strongly disagree with any suggestion that it did not comply with the Protective Order (including for the reasons noted in the Opposition, *see* Opp. at 23–25), SS&C respectfully seeks leave to file a redacted version of the Opposition, which redacts language that appears in the Amended Complaint that Arcesium contends should be redacted, and to file an unredacted version of the Opposition under seal, pending resolution of SS&C's and Arcesium's dispute with respect to the Protective Order.


SO ORDERED

DATE March 26, 2025

Respectfully submitted,



TIMOTHY M. REIF, JUDGE,
UNITED STATES COURT OF
INTERNATIONAL TRADE
SITTING BY DESIGNATION
UNITED STATES DISTRICT
COURT FOR THE SOUTHERN
DISTRICT OF NEW YORK



Stephen Fishbein

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